

100-104-1007  
Bruce Venner, Chief  
Bureau of Federal Case Management  
Department of Environmental Protection  
P. O. Box CN-0028  
Trenton NJ, 08625-0028

Re: L.E. Carpenter Superfund Site, Wharton Borough,  
Morris County, New Jersey

Dear Mr. Venner:

The United States Environmental Protection Agency (EPA) is in receipt of your letter dated August 22, 1997 regarding the above referenced site. Your letter sought to confirm agreement on issues that had been discussed between Roman Luzecky of your staff, and Kimberly O'Connell, during a telephone conversation on August 21, regarding several key issues that had been outlined in my letter of August 15, 1997 addressed to you. However, please note that based on the information provided in your letter, there still appears to be a misunderstanding regarding several of these issues.

In my August 15, 1997 letter, EPA responded to the New Jersey Department of Environmental Protection's (NJDEP's) request to consider revising the remedy outlined in the April 18, 1994 Record of Decision (ROD) for the site. The basis for the proposed change to the ROD were twofold: subsequent studies by the Potentially Responsible Party (PRP) indicated a widespread distribution of lead apparently not consistent with known or suspected PRP activities; and the PRP believes these results may be indicative of mineral mining that historically occurred both on and near the site.

EPA's letter stated that EPA is committed to assist the NJDEP in determining whether the remedy should be revised or not, however, existing information is not a sufficient basis for proposing to change the ROD and additional data is needed. EPA believes that it is necessary to evaluate the site further to develop the data that substantiates the PRP's claim that on-site lead concentrations are at background levels. Until this is done, EPA believes that it is premature to focus on potential remedial alternatives such as capping.

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Based on the above rationale, a thorough off-site background investigation should be conducted involving more than the two or three samples suggested in your letter. In our experience, such studies typically require between twenty to thirty background samples. Please have the PRP refer to the following two EPA publications which refer to standard EPA policy regarding data usability and risk assessment: "Guidance for Data Usability in Risk Assessment (Part A), April 1992"; and, "Risk Assessment Guidance for Superfund Volume 1, Human Health Evaluation Manual (Part A), December 1989". In addition, it may prove to be beneficial for the background study to include either isotopic analyses or lead speciation analysis for a certain number of off-site and on-site samples. This will help to establish a fingerprint for lead associated with mines located in the area versus lead that is site related. Further, the PRP's report, "Lead in Soils Compilation, L.E. Carpenter and Company, Wharton, New Jersey" which cited historical mining as the most likely source of lead did not provide map locations of known abandoned mines with respect to the site, or provide references for verification. In addition, no mention was made as to whether supporting historical lot, block and other tax data are available, as well. This information should be submitted for review.

With respect to the evaluation of an on-site capping remedy, please note that, as the 1994 ROD did not evaluate either the risk or feasibility of an alternative involving a cap, the PRP would have to develop a feasibility analysis of any proposed capping alternative in accordance with EPA guidance. Such an alternative would need to be evaluated using the nine criteria established in the guidance and would also include an evaluation of risk, volume of waste soils and costs for the new alternative compared to those outlined in the ROD. In addition, the PRP's proposal should evaluate the feasibility of several cap types to determine the most suitable cap for the site, especially considering potential effects of flooding from the adjacent Rockaway River.

Should you have any questions or wish to discuss this matter further please do not hesitate to give me a call at (212) 637-4418, or have your staff call Stephen Cipot at (212) 637-4411.

Sincerely yours,

Carole Petersen, Chief  
New Jersey Remediation Branch

Attachment

cc: Delmar Karlan, ORC

bcc: Steve Cipot, SNJRS  
Sharri Stevens, BTAG (Edison)